

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NEDSPICE US INC.,

Plaintiff,

— against —

CASTELLA IMPORTS, INC.,

Defendant.

20-CV-1802 (ARR)(SIL)

Opinion & Order

**Not for electronic or print
publication**

ROSS, United States District Judge:

I have received the Report and Recommendation on the instant case dated October 22, 2020, from the Honorable Steven I. Locke, United States Magistrate Judge. No objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also* *Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011), *aff’d*, 472 F. App’x 73 (2d Cir. 2012) (summary order). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, I grant plaintiff's motion for default judgment in part and deny it in part. I grant plaintiff's motion as to the breach of contract claim and award plaintiff: (i) \$189,393 in damages; (ii) \$10,055.92 in pre-judgment interest plus *per diem* interest of \$46.70 from June 22, 2020 until the date judgment is entered; and (iii) \$941.50 in costs. I deny plaintiff's motion as to all other claims. The Clerk of Court is directed to enter judgment accordingly and close the case.

SO ORDERED.

_____/s/_____
Allyne R. Ross
United States District Judge

Dated: November 18, 2020
Brooklyn, New York